



POLICE DEPARTMENT

-----X  
In the Matter of the Disciplinary Proceedings :

- against - :

Police Officer Atik Hossain :

Tax Registry No. 950597 :

PSA 9 Viper 3 :

FINAL

ORDER

OF

DISMISSAL  
-----X

Police Officer Atik Hossain, Tax Registry No. 950597, having been served with written notice, has been tried on written Charges and Specifications numbered 2020-22965, dated December 22, 2020, after a review of the entire record, Respondent is found Guilty.

Now therefore, pursuant to the powers vested in me by Section 14-115 of the Administrative Code of the City of New York, I hereby DISMISS Police Officer Atik Hossain from the Police Service of the City of New York.

  
KEECHANT L. SEWELL  
POLICE COMMISSIONER

EFFECTIVE:

2/10/23

COURTESY • PROFESSIONALISM • RESPECT

Website: <http://nyc.gov/nypd>



POLICE DEPARTMENT

December 16, 2022

-----X  
In the Matter of the Charges and Specifications :

- against - :

Police Officer Atik Hossain :

Tax Registry No. 950597 :

PSA 9 Viper 3 :

Case No.

2020-22965  
-----X

At: Police Headquarters  
One Police Plaza  
New York, NY 10038

Before: Honorable Paul M. Gamble  
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: David Green, Esq.  
Department Advocate's Office  
One Police Plaza, Room 402  
New York, NY 10038

For the Respondent: John Tynan, Esq.  
Worth, Longworth and London, LLP  
111 John Street, Suite 640  
New York, NY 10038

To:

HONORABLE KEECHANT L. SEWELL  
POLICE COMMISSIONER  
ONE POLICE PLAZA  
NEW YORK, NY 10038

COURTESY • PROFESSIONALISM • RESPECT

Website: <http://nyc.gov/nypd>

## CHARGES AND SPECIFICATIONS

1. Police Officer Atik Hossain, while assigned to Transit Bureau Task Force, on or about October 11, 2020, at about 1600 hours, while off-duty, in or about said Police Officer's residence in Nassau County, New York, wrongfully displayed a firearm and threatened to kill or injure his wife<sup>1</sup>, causing her to fear for her welfare and physical safety.

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT –  
PROHIBITED CONDUCT  
GENERAL REGULATIONS

2. Police Officer Atik Hossain, while assigned to Transit Bureau Task Force, on or about October 11, 2020, at about 1600 hours, while off-duty, in or about said Police Officer's residence in Nassau County, New York, wrongfully struck and pushed his wife to the ground, causing her to suffer pain and injury.

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT –  
PROHIBITED CONDUCT  
GENERAL REGULATIONS

3. Police Officer Atik Hossain, while assigned to Transit Bureau Task Force, on or about and between October 11, 2020 and December 20, 2020, having participated in a physical altercation with his wife wrongfully failed to notify the Department's Operations Unit, as required. (*As amended*)

P.G. 212-32, Page 1, Note

OFF DUTY INCIDENTS  
INVOLVING UNIFORMED  
MEMBERS OF SERVICE  
COMMAND OPERATIONS

4. Police Officer Atik Hossain, while assigned to Transit Bureau Task Force, on or about December 20, 2022, while off-duty, in or about said Police Officer's residence in Nassau County, New York, wrongfully threatened to injure or kill his wife and his fifteen-year-old son<sup>2</sup>, causing both to fear for their welfare and physical safety.

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT –  
PROHIBITED CONDUCT  
GENERAL REGULATIONS

---

<sup>1</sup> The identity of Respondent's wife is known to the Tribunal. She will be referred to as "Complainant" in this decision.

<sup>2</sup> The identity of Complainant and Respondent's 15-year old son is known to the Tribunal. He will be referred to as "Respondent and Complainant's son" or "the/their son" in this decision.

## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on November 16, 2022. Respondent, through his counsel, entered a plea of Not Guilty to the subject charges. The Department called Lieutenant Maripily Clase. Respondent testified on his own behalf. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having evaluated all of the evidence in this matter, the Tribunal finds Respondent Guilty of the charged misconduct. I further recommend that Respondent be terminated.

## ANALYSIS

Department Exhibit 1A is a recording of a 911 call Complainant placed to the Nassau County Police Department on December 20, 2020; Department Exhibit 1B is the transcript of that call (T. 22-24). In this call, Complainant asked for a police response because Respondent was "yelling at [her]" and identified him as a New York City police officer. In the course of a one minute, 56 second call, Complainant asked eight times for the operator to "please send someone" and asked twice for someone to "tell him to stop."

Department Exhibit 4 is a Domestic Incident Report dated December 20, 2020. It was completed by a Police Officer from the Nassau County Police Department who arrived at Respondent's home on that date. In the description of the incident, the reporting officer summarized the statements Complainant made to him, referring to her as "Victim."

In the summary, he wrote that Complainant reported her husband (Respondent) becoming irate when she and her son refused to come downstairs to speak with him. Complainant reported that he said, "If I could cut all your throats I would." She also reported that on October 11, 2020, at about 1600 hours, Respondent pointed a black firearm at her. She described an argument over

food that escalated into Respondent hitting her with an open hand several times, then pushing her to the floor, causing her to injure her left elbow. The argument continued with Respondent retrieving his black pistol, pointing it at her and telling her that she and her father had to leave his home (Dept. Ex. 4).

Department Exhibit 6 is a Supporting Deposition executed by Complainant on December 20, 2020 at 1645 hours (T. 15). In her deposition, Complainant repeated the factual assertions contained in the Domestic Incident Report but added several facts. In the deposition, she stated that when Respondent called her and her son downstairs, he told her that he wanted a divorce. It was at that point, Respondent made his statement about cutting their throats; Complainant then called 911.

She also provided additional details regarding the October 11, 2020, incident. She stated that the argument she had with Respondent on that date concerned his displeasure with how she had cooked his food. He began speaking disparagingly about her deceased mother and then began shouting at Complainant's father. When Complainant defended her father and told Respondent to stop shouting at him, he began striking her. Respondent relented briefly to sit on a couch; when Complainant asked him why he was behaving that way, he went upstairs to their bedroom, retrieved a black pistol and returned downstairs, holding it in his right hand as he resumed shouting at Complainant and her father, telling them to leave his home. Complainant implored him to stop and asked him to go to his room to calm down, before she went outside to get away from him (Dept. Ex. 6).

Respondent and Complainant's son also executed a Supporting Deposition on December 20, 2020, under the same conditions set forth above with respect to Complainant's deposition (T. 15; Dept. Ex. 7). In his deposition, the son stated that Respondent engaged in an argument with

his mother in their home on December 20, 2020. Respondent had been shouting at his son to come downstairs to speak to him “all day,” but he refused to do so. As Respondent became “more irate,” his son relented and went downstairs to see him. According to the son, Respondent told him that he was not his son anymore and that his mother should just sign the divorce papers. Respondent then said, “If I could cut all your throats, I would.” At that point, Complainant called 911 (Dept. Ex. 7).

Department Exhibit 8 is a copy of a photograph of Complainant’s left elbow, showing redness (T. 16). Lieutenant Maripily Clase testified that she obtained the photograph from the [REDACTED] officer, who informed her that it was in the investigative file<sup>3</sup> (T. 19).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On December 2, 2021, Lieutenant Clase attempted to interview Complainant at her home (T. 24). The recording of that interview and the transcript were admitted into evidence as Department Exhibits 2A and 2B (T. 24-26). In her statement, she told Lieutenant Clase that she did not want to discuss the case any further but repeatedly asserted that she did not want

---

<sup>3</sup> While Lieutenant Clase testified that Complainant was never shown this photograph, Complainant did direct Clase to the [REDACTED] officer from the Nassau County Police Department to whom she gave the photograph on December 20, 2020 (T. 19-20). During Clase’s interview of Complainant, Complainant did not indicate when the photograph was taken but confirmed that the photographs were on her son’s phone and that he showed them to the Nassau County police officers.

Respondent to lose his job because she would lose her home as a result, adding that he was “very good at work.” She also indicated that she did not want to live with Respondent any more.

Complainant asked Lieutenant Clase whether she would tell Respondent that she had spoken to them and implored her not to say anything about her, stating, “I don’t want him to know anything about me” (Dept. Exs. 2A, 2B at 4, 11, 30; T. 26, 33-34, 37).

Despite her ambivalence, she affirmed to Lieutenant Clase that she told the Nassau County police officers what had transpired between her and Respondent on October 11 and December 20, 2020; she also confirmed that their son showed the police officers pictures he had on his phone of injuries to her arm. At no point in this interview did she attempt to recant her statements. She did not discuss any specifics regarding the two incidents but in characterizing Respondent’s behavior, she said, “[W]hat he did was very stupid” (*Id.*).

Lieutenant Clase also testified that she interviewed members of the staff at Nassau County Child Protective Services (T. 36). They informed her that when they interviewed Complainant and her son, they denied the allegations they had made and the case was closed as unfounded (*Id.* at 14, 25-26, 28).

Respondent testified that on October 11, 2020, he was off-duty and had been working in his backyard (T. 44). At about 1500 hours, he went inside and observed that no lunch had been prepared for himself, his mother of his three children (*Id.*). Complainant had, however, prepared lunch for his father-in-law (*Id.*). He testified that he questioned Complainant about why she had prepared a meal only for her father; according to Respondent, Complainant began “screaming and yelling” (T. 44-46, 59). Complainant supposedly said, “I cannot make food for you guys, help yourself out” and “If I have to do that, then I have to go look for a divorce” (T. 46, 59-60).

Complainant supposedly yelled for 30-45 minutes before Respondent went to his father-in-law's room, to ask him to intercede on his behalf to convince Complainant to stop shouting (T. 45-46, 63). When Complainant continued to yell, Respondent retreated to his room, locked the door and attempted to go to sleep<sup>4</sup> (T. 46, 64). He denied having any physical contact with Complainant and had no other contact with her until he woke up the next morning (T. 46-47). He then took his mother to his sister's home, telling her that he wanted their mother to stay there, because Complainant had been "yelling about [his] mom" (T. 47).

Respondent testified that he returned to his home on October 12, 2020, but that Complainant did not speak to him, and refused to speak to him for approximately two months, refusing "to come downstairs" (T. 48). On December 20, 2020, Respondent brought his mother to his home in an attempt to convince Complainant to speak to him (T. 48-49). When his mother called upstairs for Complainant to come down, she did not reply; when Respondent called her downstairs, she ignored him as well (*Id.*).

Respondent then called upstairs to his son, who came downstairs and began yelling at him (T. 50, 70). According to Respondent, his son was yelling. "Why can't you go upstairs and talk to my mom?" Respondent told his son, "That's not how you should talk to your dad." Respondent then overheard his wife calling 911 from upstairs (T. 50-51, 71, 73-74). He remained at his home until Nassau County Police officers arrived; he identified himself as a Member of Service and presented his identification to them (T. 51). [REDACTED]

[REDACTED]

[REDACTED] Respondent conceded that he did not make any notifications to this Department at that time but claimed he contacted his supervisor, Sergeant Dennis, and

---

<sup>4</sup> According to Respondent, he and Complainant maintained separate bedrooms within their residence (T. 48).



informed him that he was [REDACTED]; according to Respondent, Sergeant Dennis told him, “Don’t worry about it; I will take care of it” (T. 75). Respondent further conceded that he did not make any notifications to either the Operations Unit or to the Internal Affairs Bureau on October 11, 2020 (*Id.*).

[REDACTED]  
[REDACTED] a full Order of Protection was issued (T. 52). According to Respondent, the Order expired on November 18, 2021; during the pendency of the order, Respondent resided with his brother (T. 52-53). [REDACTED]

[REDACTED] a limited Order of Protection was issued until November 18, 2022 (T. 53).

Respondent asserted that during the pendency of both Orders of Protection, he continued to pay bills for Complainant and their children (T. 54). He denied ever threatening them and specifically denied stating that he would cut their heads off or slit their throats (*Id.*, 71). Respondent further denied retrieving his firearm on October 11, 2020, or having any physical contact with Complainant that day (T. 65-66).

In response to questioning by the Tribunal, Respondent testified he could think of no reason, other than Complainant’s reaction to being questioned about why she had not prepared a meal for him on October 11, 2020, which could explain her refusal to speak to him for two months (T. 81). He conceded that during the two-month period when Complainant and their son did not speak to him, he made no attempt to discern why they would not (T. 83). He testified further that Complainant and their son fabricated their statements about threats he was alleged to have made (T. 81-82).

*Credibility*

In a misconduct case involving allegations of domestic violence, the finder of fact must carefully consider the individual motivations of the parties to provide truthful information. When placed in proper context, the behaviors of the parties before and after the incident in question may also reveal evidence relevant to a credibility assessment. Finally, the degree to which competing narratives are logical and corroborated by independent evidence must be part of the credibility findings.

Based upon the totality of the record, I find that Complainant's hearsay statements, contained in Department Exhibits 1-A, 1-B, 2-A, 2-B, 4, 5, and 6, bear sufficient indicia of reliability upon which to base findings of fact. I make this finding mindful that she did not appear before the Tribunal and present herself for examination; nevertheless, her statements were logical and consistent with other credible evidence in the case. As outlined in detail above, the timing of her initial outcries, the circumstances under which she made her statements, and the substance of those statements, taken together, strongly support a finding that her statements are credible.

I further find that the photograph of Complainant's elbow in Department Exhibit 8, depicting some injury, tends to corroborate her factual assertion that Respondent assaulted her on October 11, 2020.

Similarly, I find the son's hearsay statement, contained in Department Exhibit 7, to be credible. The material factual assertion in this statement that Respondent made a threat to cut his family's throats was corroborated by Complainant in her Supporting Deposition.

Complainant and her son executed supporting depositions in the December 20, 2020, Domestic Incident Report which clearly stated, "ANY FALSE STATEMENT MADE IN THIS

DEPOSITION IS PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW” (capitalization in original). They filed these depositions close in time to the events they described, when neither Complainant nor her son had a significant opportunity for reflection or an incentive to falsely accuse Respondent. On the contrary, the police report was made in the context of Respondent’s verbal abuse, the acts of physical violence they attributed to him, his demonstrated ready access to weapons and his willingness to brandish them; under these circumstances, both Complainant and her son had a greater incentive to remain silent out of fear, rather than make an official police report documenting his abuse. Both depositions also corroborate each other, as there are similar material facts asserted in each deposition which are consistent with each other.

I make the above-described findings mindful that Complainant and her son later denied the allegations to personnel at Nassau County Child Protective Services. Their denials are not supported by the credible statements each made close in time to the events; moreover, the record is unclear as to what motivation, other than their financial dependence on Respondent, that they would have had to deny the allegations would have been at the time they did so after making such specific allegations of misconduct by Respondent and swearing to the truth of their factual assertions in court filings. Accordingly, I do find that what Respondent has proffered as evidence of recantation has any probative value.

In contrast, I find that Respondent’s testimony before the Tribunal was permeated with self-interest. While any Respondent is interested in the outcome of the proceeding by the potential adverse consequences of a guilty finding, the Respondent’s self-serving testimony and the selectivity of the evidence he presented in his defense made clear his incentive to advance an alternative narrative that lacked independent factual support.

For example, as part of his defense to the charge of engaging in a physical dispute with his wife, Respondent asserted that the sole reason his wife stopped speaking to him on October 11, 2020, was because he asked her why she had only prepared a meal for her father, and not the other members of the extended family. Under questioning by the Tribunal, he had no explanation for why she might take such a posture based solely upon the question he posed to her. This Tribunal refuses to credit such a dubious assertion, which runs contrary to common sense and ordinary human interpersonal dynamics, even considered within a marriage.

In contrast, if Respondent committed the acts Complainant accused him of committing on October 11, 2020 (*i.e.*, striking her several times to the point where she fell to the floor, then pointed a firearm at her), her refusal to speak to him makes sense. Their son's concomitant refusal to speak to Respondent, apparently having been made aware of how his father mistreated his mother, then his angry response when Respondent tried to engineer a rapprochement two months later, also seems logical.

I note that Respondent testified that immediately after the October 11 altercation, he relocated his mother from living with him to his sibling's home. This action seems unwarranted and illogical if Complainant's actions were only hysterical, rather than a form of silent protest against maltreatment. Based upon the record before me, I find Respondent's actions are evidence of consciousness of guilt.

*Specification 1: Wrongful Display of a Firearm/Threat to Kill (October 11, 2020)*

*Specification 2: Wrongfully Striking Complainant (October 11, 2020)*

I find that the Department Advocate has met his burden of proof by a preponderance of the relevant, credible evidence that, on October 11, 2020, Respondent displayed a firearm to Complainant and made a threat to kill or injure her.

I further find that the Department Advocate has met his burden of proof by a preponderance of the relevant, credible evidence that, on October 11, 2020, Respondent wrongfully struck and pushed Complainant to the ground, causing her to suffer pain and injury.

Complainant asserted in a December 20, 2020 affidavit, which I have credited, that Respondent struck her several times with an open hand, causing her to fall to the floor; struck her once with a sandal; and struck her several times while she was on the floor. She further asserted that after breaking off the assault, he sat on a couch for a short while, went upstairs to retrieve a black firearm, then returned to the ground level, holding the firearm in his right hand, as he shouted at Complainant and her father to leave their home. Finally, Complainant asserted that she was in fear for her life, based upon Respondent's display of his firearm, and left her home in the hope that Respondent would calm down.

Department Exhibit 8 is a copy of a photograph, which Lieutenant Clase testified she obtained from one of the Nassau County police officers who responded to Complainant's 911 call on December 20, 2020. She testified further that when she interviewed Complainant on December 2, 2021, Complainant affirmed that her son showed Nassau County police officers pictures of the arm she asserted Respondent injured on October 11, 2020. An examination of the photograph reveals discoloration of the area of Complainant's elbow, suggesting bruising. This bruising, and its location on her elbow, is consistent with the description of the area Complainant claimed Respondent injured when he knocked her to the ground on October 11, 2020. Based upon Lieutenant Clase's testimony regarding Complainant's December 2, 2021, interview, I find that this photo is some evidence of the injury Complainant asserted Respondent inflicted upon her on October 11, 2020.

Based upon the foregoing analysis, I find Respondent Guilty of Specifications 1 and 2.

*Specification 3: Failure to Make a Notification*

I find that the Department Advocate has met his burden of proof by a preponderance of the credible, relevant evidence that Respondent failed to notify the Operations Division, or to call a patrol supervisor to the scene of an off-duty incident, between October 11, 2020 and December 20, 2020.

Patrol Guide procedure 212-32 requires off-duty uniformed members of the service who are at the scene of an unusual police occurrence as a participant or a witness to remain at the scene and request the presence of the Patrol supervisor in the precinct of occurrence. “Unusual police occurrence” includes “family disputes and other incidents of domestic violence in which the officer is either a participant or a witness” (P.G. 212-32). “If the incident occurred outside of the City the uniformed member of the service concerned will promptly notify the operations unit” (*Id.*).

I find that the October 11, 2020 incident that occurred at Respondent’s home was a domestic violence incident: the evidence establishes that he threatened Complainant, his wife, with a firearm after beating her with his hand and pushing her to the ground. Respondent also threatened Complainant’s father with the same firearm. It is further undisputed that the incident occurred in Nassau County, which is outside the City of New York. Finally, there is no evidence that Respondent ever made a notification to anyone in this Department from the date of that incident to December 20, 2020, [REDACTED]. Respondent admitted during his testimony that he never made a notification but explained that once he was transported to the 105th Precinct and informed [REDACTED] he contacted his sergeant, who informed Respondent that he would take care of making notifications.

I find that Respondent's communication with his sergeant on December 20 was sufficient to constitute a notification in the spirit of Patrol Guide procedure 212-32, even though it did not comply with the letter of the procedure. Nevertheless, I find that Respondent made no attempt to contact the Operations Unit on October 11, 2020, after striking his wife, then threatening her and her father with a firearm.

Based upon the foregoing, I find Respondent Guilty of Specification 3.

*Specification 4: Threat to Injure/Kill (December 20, 2020)*

I find that the Department Advocate has met his burden of proof by a preponderance of the credible, relevant evidence that on December 20, 2020, Respondent made a threat to injure or kill Complainant and her son.

As I previously found in the credibility analysis above, Complainant and her son each swore in Supporting Depositions, executed on December 20, 2020, that Respondent, in sum and substance, made a statement that, "If [he] could slit their throats, [he] would." I find that this statement was unambiguous and intended to place Complainant and her son in fear of mortal danger. While Respondent denied making this threat in his testimony, I find his denial to be unworthy of belief.

Accordingly, I find Respondent Guilty of Specification 4.

## PENALTY

In order to determine an appropriate penalty, this Tribunal, guided by the Department's Disciplinary System Penalty Guidelines, considered all relevant facts and circumstances, including potential aggravating and mitigating factors established in the record. Respondent's employment history also was examined (*See* 38 RCNY § 15-07). Information from his

personnel record that was considered in making this penalty recommendation is contained in an attached memorandum.

Respondent, who was appointed to the Department on July 6, 2011, has been found Guilty of: (1) wrongfully displaying a firearm and threatening to kill Complainant; (2) wrongfully striking Complainant; (3) failing to make a notification to the Operations Unit of a domestic incident; and (4) making a threat to injure or kill Complainant and their son.

The Department Advocate has recommended termination; I wholly concur with their recommendation.

The presumptive penalty for threatening to use or menacing with a firearm during a domestic incident is termination; the mitigated penalty is forced separation. I find no evidence of mitigation here; rather, I find a number of aggravating factors related to the October 2020 firearm menacing and physical assault and the violent threat made in December 2020, including:

- (1) That Respondent inflicted a physical injury upon Complainant during the October 11, 2020, incident;
- (2) That Respondent failed to notify the Operations Unit of the October 11, 2020, incident;
- (3) That Respondent's acts of violence on October 11, 2020, and threats on December 20, 2020, were directed, in part, against two vulnerable victims – his elderly father-in-law and his minor son; and
- (4) That Respondent's threat on December 20, 2020, was made in the presence of a minor child, where there also existed a reasonable risk of harm to the child.

Moreover, engaging in conduct proscribed by New York State law as a misdemeanor carries a presumptive penalty of 30 penalty days and an aggravated penalty of termination.

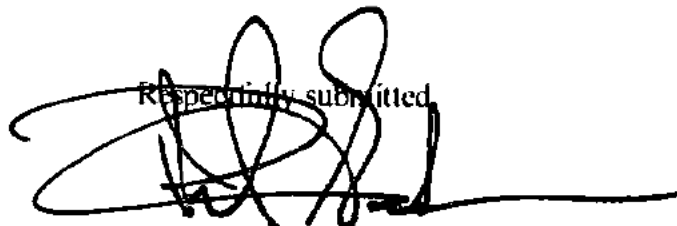
Criminal Possession of a Weapon in the Fourth Degree (P.L. § 265.01[2]), Assault in the Third Degree (P.L. § 120.00[1]), and Menacing in the Second Degree (P.L. § 120.14[1]) are all Class "A" misdemeanors. I find that the relevant, credible evidence establishes the commission of each misdemeanor crime set forth above.



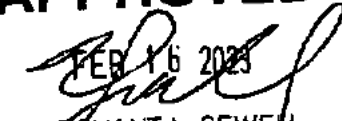
Even if the record did not establish the commission of one, or all three, misdemeanor charges by a preponderance of the evidence, I nevertheless find the physical acts by Respondent to be particularly heinous. The credible evidence established Respondent struck his wife repeatedly, pushed her to the ground, and then brandished a firearm at her while demanding that she leave their home. Respondent brandished the same firearm at his elderly father-in-law, making the same demand that he leave Respondent's home. The record further showed that he caused physical injury to his wife's elbow when she fell to the ground, and that two months later, he verbally threatened his family in unimaginably cruel terms when his wife refused to accede to his desire to normalize their family relationship in the face of his brutality. Finally, his testimony before this Tribunal was implausible and unworthy of belief.

Despite Respondent's lack of a disciplinary history and a record of objectively commendable service, the evidence in this record reveals that Respondent lacks the moral character to be entrusted with the enforcement of the law. Based upon the foregoing, Respondent's continued presence in this Department is antithetical to its values and mission.

I therefore recommend that Respondent be DISMISSED from his employment with the New York City Police Department.

Respectfully submitted,  
  
Paul M. Gamble  
Assistant Deputy Commissioner Trials

**APPROVED**

  
FEB 16 2023  
KEECHANT L. SEWELL  
POLICE COMMISSIONER



## POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials

To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD  
POLICE OFFICER ATIK HOSSAIN  
TAX REGISTRY NO. 950597  
DISCIPLINARY CASE NO. 2020-22965

Respondent was appointed to the Department on July 6, 2011. On his three most recent annual performance evaluations, he was rated "Exceptional" for 2019, 2020, and 2021. He has been awarded four medals for Meritorious Police Duty.

Respondent has no prior formal disciplinary history. In connection with the instant matter, he was suspended without pay from December 20, 2020 to January 18, 2021.

For your consideration.

Paul M. Gamble  
Assistant Deputy Commissioner Trials